THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25403 OF 2005

Date:29.11.2005

Between:

P.C.Krishna

… Petitioner

AND

The Management of Singareni Collieries Co. Ltd., and others

… Respondents

ORDER:

The petitioner challenges the office order, dated 27.09.2002, in so far as it had resulted in disadvantage in his pay structure. The petitioner states that himself and several other employees have fought for standardization of their services and as a result of prolonged litigation and persuasion, a settlement was brought about on 17.7.2002. He contends that though the services were categorized, it has resulted in reduction in his pay structure. The petitioner states that when he made a representation pointing out his grievance, the second respondent replied on 25.05.2005, stating that the anomaly would be addressed to, while implementing the NCWA-VII, but, the same was not attended to, as of now.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

It is true that the pay structure of the petitioner was adversely affected on account of the categorization of the services through the settlement, dated 17.07.2002. The anomaly appears to be limited to the case of the petitioner alone. The settlement was arrived at under Section 18(1) of the Industrial Disputes Act, with the participation of the representatives of the recognized unions and the management. It

is difficult to interfere with the settlement arrived at in that manner. If there exists any individual grievance, the affected person is required to take the same to the notice of the union concerned, which, in turn, may take necessary remedial steps. This Court cannot interfere with the settlement dated, 17.07.2002, or any proceedings instituted consequential thereto.

Therefore, the writ petition is disposed of, leaving it open to the petitioner to bring his grievance to the notice of the union concerned, which, in turn, may examine the matter and take remedial steps within the framework of law.

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29.11.2005

kdl